

- 8. If the officer gives you a ticket, sign it. Signing a ticket does not mean you are guilty. If you are not guilty go to traffic court and present your case to a judge. If you do not sign the ticket you can be arrested.
- 9. If the officer does not tell you why s/he stopped you and does not write a ticket, it may mean the officer has reason to believe you or other passengers in the car were involved in a crime. Stay calm, still and patient while the officer investigates. You do not have to talk, however you may want to answer simple questions such as your name, address and where you are going to show the officer you are not dangerous.

**SMART THINGS TO DO
WHEN A POLICE OFFICER
COMES TO YOUR HOUSE**

If a police officer comes to your house follow these rules:

- 1. Make sure the person at your door is really an officer and look for a badge or ask for identification. Be polite but serious.
- 2. Find out politely why the officers are at your house by asking "How can I help you?"
- 3. If you are a minor, get a grown-up right away if possible.
- 4. If the police want to enter your house, you have the right to tell the police that they cannot enter unless they have a warrant or are chasing a person and the person is in your home. (A warrant is a piece of paper signed by a judge saying that it is okay for the police to enter your home. Make sure the address is correct on the warrant.)
- 5. The police may want to ask questions of you or someone who lives in your house so they can investigate or solve a crime. If you want to help them you can speak to them outside or, if you want to, you can invite them into your home.

**SMART THINGS TO DO
WHEN ARRESTED**

- 1. Ask to lock your car or home.
- 2. Obey the police officer. Do not resist or touch the officer.
- 3. Stay calm, still and patient.
- 4. Do not give statements about your arrest without your lawyer, and if you are a minor ask for your parent or family member right away.
- 5. Right away, ask to telephone a lawyer before you talk to anyone else. If you do not know a lawyer you can call the Public Defender's Office and speak to one of their lawyers. You have a right to talk to a lawyer after you are arrested.
- 6. If you speak on the phone to your lawyer you have the right to talk without anyone listening. If the police will not leave you alone to talk by yourself, simply tell your lawyer where you are and talk about nothing else.

**SMART THINGS TO DO
IF YOU ENCOUNTER
POLICE MISCONDUCT**

If you feel you or someone you know has been mistreated by the police, do not fight the mistreatment on the street. Pay attention to the officers, their words, their actions, their names and badge numbers and report the mistreatment to the police supervisors. If you are a minor, call a trusted grown-up. If you are afraid or don't know how to report the police, call a lawyer or state attorney's office.



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**LAW OFFICES OF
PUBLIC DEFENDER
CARLOS J. MARTINEZ**



PLAY IT SMART

**GUIDELINES ON HOW TO CONDUCT
YOURSELF WHEN CONFRONTED BY
A POLICE OFFICER AND REDUCE
PREVENTABLE ARRESTS**

Young people often become entangled with the juvenile justice system due to an encounter with police turning into a bad situation for both the young person and the officer. To reduce the likelihood that a young person will be arrested, we developed this guide for youth to learn about their rights and how to effectively interact with police. This guide balances the officer's need to feel that the young person does not present a physical threat to the officer and the rights guaranteed under the United States Constitution.

YOUR RIGHTS

You have the right to remain silent, you do not have to talk to the police. You may ask for a lawyer at any time. If you are a minor, you should ask for your parent. If you ask for a lawyer the police must stop talking to you until the lawyer is present. It is a smart idea to answer simple questions such as your name, your school and your address to show the police you are not dangerous. Do not give a fake name because you could be charged with a crime.

SAFETY THE CARDINAL RULE WITH POLICE ENCOUNTERS

- © **PLAY IT SMART.** Police can arrest people they believe are dangerous. If you are doing something that looks dangerous you could cause a police stop or arrest. When in doubt about whether something is a "good idea" or whether some behavior is dangerous, play it smart and don't do it.
- © **BE WITH SAFE PEOPLE.** Spend time with people you know have good reputations. Even if you have done nothing wrong, hanging out with people who have reputations as trouble makers, thieves or bullies can lead the police think you are a trouble maker too. Many youths get arrested exactly because they were with the wrong crowd or a crowd with a reputation for being dangerous.

- © **USE SAFE WORDS.** Abusive comments invite trouble. Bad language and bad manners can feel cool and powerful but bad words are seen as "fighting words". `When someone talks "trash" it makes people want to fight. Bad language tells the police you don't respect them and tells them you might be dangerous.
- © **MAKE THE POLICE FEEL SAFE.** If you come in contact with police, do not treat them as an enemy. Being a police officer is hard work. Many officers are killed or injured every year and so they are concerned about safety. They have safety rules to follow. At first the police may seem rude and unfriendly. But until they feel safe with you they are worried about what you may do to them. Polite words, respect and eye contact all help make an officer feel safe around you.
- © **KEEP A SAFE DISTANCE DURING AN ARREST OF ANOTHER.** If you see the police stopping or arresting another person do not interfere. Even if you believe the arrest is wrong or unfair, you must not interfere or you can also be arrested. The police arrest people they believe are dangerous. If you interfere, yell or use abusive language the police will believe you are dangerous too. If you feel the arrest was wrong make yourself a witness and go to court with the arrested person.

SMART THINGS TO DO WHEN YOU ARE STOPPED BY THE POLICE

Innocent people are stopped by the police and sometimes they get embarrassed or angry. Although the stop may seem wrong or unfair, the police believe they have a reason to stop and talk with you. Sometimes they just want to know if you are a witness to a crime or if you know about something suspicious. Sometimes they stop you because some other person reported something suspicious about you or someone who looks like you.

If you are stopped follow these rules:

STAY CALM

Even if you feel it's unfair to be stopped by the police, stay calm, quiet and polite. Do not do or say threatening things. A bad attitude will make police believe you might be dangerous.

STAY STILL

Walking, moving around or running away will make police think you might be dangerous.

STAY PATIENT

Even a traffic ticket can take 20 minutes or more before you are free to leave. During this time the police usually are not talking to you. It is easy to get embarrassed and angry but anger will only lead the police to believe you might be dangerous.

SHOW HANDS

Hidden hands or moving hands will lead the police to believe you have something to hide or dangerous in your hands.

SMART THINGS TO DO WHEN YOU ARE FRISKED BY THE POLICE

The law allows police to frisk you. "Frisk" means the police can place their hands on your body and pat you down on top of your clothes if they have reason to believe you have a weapon. If the police feel something that could be a weapon or that they recognize as drugs, the police can go into your pocket and search. Even if the police are wrong, the law allows this pat down and search if the police have reason to believe you have drugs or weapons. If the police stop you and want to frisk you follow these rules:

- 🚓 **DO NOT RESIST THE PAT DOWN.**
- 🚓 **STAY STILL. STAY CALM. STAY PATIENT.**
- 🚓 **DO NOT TOUCH THE OFFICER IN ANY WAY.**

SMART THINGS TO DO WHEN STOPPED IN A CAR

1. Slow down and pull over to the side of the road when it is safe to do so. If you speed up the police will believe you are dangerous. If you try to run away the police will believe you are dangerous and you can be arrested.
2. If you are unsure whether the car is a police car or not, drive slowly and pull over to a public place with good lighting and stop.
3. **STAY IN YOUR SEAT!** Moving around, changing seats or getting out of the car will make the police believe you are dangerous.
4. Keep your hands on the steering wheel if you are the driver. Keep your hands open and on your lap if you are a passenger. Hidden hands will make the police think you are holding something dangerous. If it is dark, turn on the inside car light. Do not get out of the car unless the police ask you to do so.
5. Give the police your driver's license and car registration if you are asked. If your license and registration are in a pocket, glove compartment or other hidden area, tell the police. Then slowly get the papers out for the police to see. If you move too quickly towards a hidden compartment the police will worry something dangerous is in the compartment.
6. The police may want to search your car. If you do not want them to search your car tell them "no" in a polite manner. The police may search your car anyway. If they do, this is not the time to argue about it.
7. Most officers will tell you why they stopped your car if they are going to give you a ticket. If you want to explain something to the officer do so politely BEFORE the officer writes the ticket. Once a ticket is written it cannot be changed or thrown away.